so frustrated that they have given up their search for a job.

That unemployment translates into unpaid mortgages, unmet car payments, and untreated medical problems. It breeds frustration, hopelessness, and anger. And it means hardship and real suffering in household after household.

I am particularly concerned with the effects of high unemployment on our teenage sons and daughters. In April, 20.4 percent of America's youth aged 16 to 19 were unemployed. For black and other minority teenagers who for too long have experienced unconscionably high rates of unemployment, the figure was an appalling 40.2 percent. Both percentages will soar with the end of school several weeks from now

Employment for America's teenagers means much more than an alternative to unrest, vandalism, and violence. It means extra dollars for families who have trouble making ends meet in the best of times. It means a chance to continue an education when school reopens next September. And it means valuable experience and mastering of skills to enhance prospects for future career employment.

As a society, we have always valued the summer work experience. In recent years, we have developed programs which have offered millions of America's teenagers summer jobs. And in the vetoed H.R. 4481, the Congress provided funding for an additional 840,000 jobs for youth this summer.

This is the first week of June. Summer is here. And hundreds of thousands of teenagers are already looking for work. We must not let their search be in vain.

I am, therefore, today introducing legislation to fund the extra 840,000 jobs provided for in the Emergency Employment Assistance Act. The $458,050,000 is the same amount agreed to in the conference on H.R. 4481. It is an outlay provided for in the first concurrent budget resolution, and it is a proper and sound investment in the Nation's youth.

My hope is that the Congress will quickly act to provide this desperately needed funding. We must resolve anew to put fathers and mothers back to work, too, and we must win the understanding and cooperation of the administration to do it. My summer youth employment legislation obviously is only one step toward putting this Nation back to work, but for the hundreds of thousands of young Americans who will have jobs, it is absolutely essential.

I urge the Appropriations Committees of both Houses to act expeditiously in reporting legislation which can quickly be enacted. I am certain that their efforts will once again receive the overwhelming support of this body.

I ask that a copy of my bill be printed at the end of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1884

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That $458,050,000 is appropriated, out of any money in the Treasury not otherwise appropriated for the Department of Labor for the fiscal year ending June 30, 1975, and to remain available until September 30, 1975, to provide additional funds for youth summer employment programs pursuant to the Comprehensive Employment and Training Act of 1973 to enable eight hundred and forty thousand youths to obtain jobs.

By Mr. TUNNEY (for himself, Mr. ABOUREZK, Mr. BAYH, Mr. BURDICK, Mr. FONG, Mr. MATHIAS, Mr. HUGH SCOTT, and Mr. THURMOND):

S. 1887. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy. Referred to the Committee on the Judiciary.

Mr. TUNNEY. Mr. President, along with Senators ABOUREZK, BAYH, BURDICK, FONG, MATHIAS, HUGH SCOTT, and THURMOND, I introduce a bill to protect the constitutional rights of the civilian employees of the executive branch of the Federal Government and to prevent unwarranted governmental invasions of their privacy.

This bill, known as the Federal Employees Privacy Act, was initially introduced by Senator Ervin in 1966. It has been endorsed by every major Federal employee association and union, as well as by civil liberties groups, labor unions, and bar associations. It passed the Senate by large majorities on five separate occasions only to die in the House Post Office and Civil Service Committee. However, I am hopeful and confident that this year it will meet a different and friendlier fate.

The need for the legislation has increased with the passage of time. Many of the abuses which came to light during the Watergate investigation may never have taken place if this bill had been law. One of its principal provisions prohibits "any officer of any executive department or any executive agency of the U.S. Government" from requiring or requesting or even attempting to require or request that Federal employees participate in activities unrelated to the performance of their official duties. While it is doubtful that any one measure could have prevented all the wrongdoings associated with Watergate, the enactment of this bill which Senator Ervin so strongly advocated during the last 9 years of his tenure in the Senate would have at least provided Federal employees statutory protection against orders to conduct improper and illegal investigations of citizens active in politics.

One aim of the measure is to prohibit requirements that Federal employees and applicants for Government employment disclose their race, religion, or national origin, or submit to questioning about their religion, personal relationships, or sexual attitudes, through interviews, psychological tests, or polygraphs.

It would prohibit requirements that employees attend Government sponsored meetings and lectures or participate in outside activities unrelated to their work; support political candidates, or attend political meetings. It makes it illegal to coerce an employee to buy bonds or make charitable contributions. It prohibits requirements that he disclose his own personal assets, liabilities, or expenditures, or those of any member of his family, unless, in the case of certain specified employees, such items would tend to show a conflict of interest.

It provides a right to have a counsel or other person present if the employee wishes, at an interview which may lead to disciplinary proceedings. It accords the right to a civil action in a Federal court for violation or threatened violation of the act. Finally, it establishes a Board on Employees' Rights to receive and conduct hearings on complaints of violation of the act, and to determine and administer remedies and penalties.

The protection of the civil liberties and constitutional rights of Americans who work for Government or who apply to work for it has been a major concern of the Constitutional Rights Subcommittee since its inception and will continue to be under my chairmanship. Practices and policies which diminish the freedoms of any of us ultimately diminish the freedoms of all of us. The special leadership role which the Federal Government plays in the field of employment practices vis-a-vis State and local governments, as well as private business and industry, increases the need for enactment of this legislation.

Mr. President, I ask unanimous consent that the text of the Federal employees privacy bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. It shall be unlawful for any officer of any executive department or any executive agency of the United States Government, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person seeking employment in the executive branch of the United States Government, to disclose his race, religion, or national origin, or the race, religion, or national origin of any of his forebears: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit inquiry concerning the citizenship of any such employee or person if his citizenship is a statutory condition of his obtaining or retaining his employment: *Provided further,* That nothing contained in this subsection shall be construed to prohibit inquiry concerning the national origin or citizenship of any such employee or person or of his forebears, when such inquiry is deemed necessary or advisable to determine suitability for assignment to activities or undertakings related to the national security within the United States or to activate or undertakings of any nature outside the United States.

(b) To state or intimate, or to attempt to state or intimate, to any civilian employee of the United States serving in the department or agency that any notice will be taken of his attendance or lack of attendance at any assemblage, discussion, or lecture held or called by any officer of the executive branch of the United States Government, or by any person acting or purporting to act under his authority, or by any outside par-

ties or organizations to advise, instruct, or indoctrinate any civilian employee of the United States serving in the department or agency in respect to any matter or subject other than the performance of official duties to which he is or may be assigned in the department or agency, or the development of skills, knowledge, or abilities which qualify him for the performance of such duties: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit taking notice of the participation of a civilian employee in the activities of any professional group or association.

(c) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

(d) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to make any report concerning any of his activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties, or unless there is reason to believe that the civilian employee is engaged in outside activities or employment in conflict with his official duties.

(e) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however,* That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information or authorizing suchs tests in the diagnosis or treatment of any civilian employee or applicant where such physician deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however,* That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties: *Provided further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the department or agency from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

(f) To require or request, or attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to take an polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

(g) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to support by personal endeavor or contribution of money or any other thing of value the nomination or the election of any person or group of persons to public office in the Government of the United States or of any State, district, Commonwealth, territory, or possession of the United States, or to attend any meeting held to promote or support the activities or undertakings of any political party of the United States or of any State, district, Commonwealth, territory, or possession of the United States.

(h) To coerce or attempt to coerce any civilian employee of the United States serving in the department or agency to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or to make donations to any institution or cause of any kind: *Provided, however.* That nothing contained in this subsection shall be construed to prohibit any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, from calling meetings and taking any action appropriate to afford any civilian employee of the United States the opportunity voluntarily to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or voluntarily to make donations to any institution or cause.

(i) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household: Provided, however, That this subsection shall not apply to any civilian employee who has authority to make any final determination with respect to the tax or other liability of any person, corporation, or other legal entity to the United States, or claims which require expenditure of moneys of the United States: *Provided further, however,* That nothing contained in this subsection shall prohibit the Department of the Treasury or any other executive department or agency of the United States Government from requiring any civilian employee of the United States to make such reports as may be necessary or appropriate for the determination of his liability for taxes, tariffs, custom duties, or other obligations imposed by law.

(j) To require or request, or to attempt to require or request, any civilian employee of the United States embraced within the terms of the proviso in subsection (i) to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household other than specific items tending to indicate a conflict of interest in respect to the performance of any of the official duties to which he is or may be assigned.

(k) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, who is under investigation for misconduct, to submit to interrogation which could lead to disciplinary action without the presence of counsel or other person of his choice, if he so requests: *Provided, however,* That a civilian employee of the United States serving in the Central Intelligence Agency or the National Security Agency may be accompanied only by a person of his choice who serves in the agency in which the employee serves, or by counsel who has been approved by the agency for access to the information involved.

(l) To discharge, discipline, demote, deny promotion to, relocate, reassign, or otherwise discriminate in regard to any term or condition of employment of, any civilian employee of the United States serving in the department or agency, or to threaten to commit any of such acts, by reason of the refusal or failure of such employee to submit to or comply with any requirement, request, or action made unlawful by this Act, or by reason of the exercise by such civilian employee of any right granted or secured by this Act.

SEC. 2. It shall be unlawful for any officer of the United States Civil Service Commission, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any executive department or any executive agency of the United States Government, or any officer or employee serving in such department or agency, to violate any of the provisions of section 1 of this Act.

(b) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however,* That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such physician deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however,* That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties: *Provided further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the Civil Service Commission from advising any civilian employee or applicant on a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

(c) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

SEC. 3. It shall be unlawful for any commissioned officer, as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, to require or request, or to attempt to require or request, any civilian employee of the executive branch of the United States Government

under his authority or subject to his supervision to perform any of the acts or submit to any of the requirements made unlawful by section 1 of this Act.

SEC. 4. Whenever any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, or any commissioned officer as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, violates or threatens to violate any of the provisions of section 1, 2, or 3 of this Act, any civilian employee of the United States serving in any department or agency of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, affected or aggrieved by the violation or threatened violation, may bring a civil action in his own behalf or in behalf of himself and others similarly situated, against the offending officer or person in the United States district court for the district in which the violation occurs or is threatened, or the district in which the offending officer or person is found, or in the United States District Court for the District of Columbia, to prevent the threatened violaion or to obtain redress against the consequences of the violation. The Attorney General shall defend all officers or persons sued under this section who acted pursuant to an order, regulation, or directive, or who, in his opinion, did not willfully violate the provisions of this Act. Such United States district court shall have jurisdiction to try and determine such civil action irrespective of the actuality or amount of pecuniary injury done or threatened, and without regard to whether the aggrieved party shall have exhausted any administrative remedies that may be provided by law, and to issue such restraining order, interlocutory injunction, permanent injunction, or mandatory injunction, or enter such other judgment or decree as may be necessary or appropriate to prevent the threatened violation, or to afford the plaintiff and others similarly situated complete relief against the consequences of the violation. With the written consent of any person affected or aggrieved by a violation or threatened violation of section 1, 2, or 3 of this Act, any employee organization may bring such action on behalf of such person, or may intervene in such action. For the purposes of this section, employee organizations shall be construed to include any brotherhood, council, federation, organization, union, or professinal association made up in whole or in part of civilian employees of the United States and which has as one of its purposes dealing with departments, agencies, commissions, and independent agencies of the United States concerning the condition and terms of employment of such employees.

SEC. 5. (a) There is hereby established a Board on Employees' Rights (hereinafter referred to as the "Board"). The Board shall be composed of three members, appointed by the President, by and with the advice and consent of the Senate. The President shall designate one member as chairman. No more than two members of the Board may be of the same political party. No member of the Board shall be an officer or employee of the United States Government.

(b) The term of office of each member of the Board shall be five years, except that (1) of those members first appointed, one shall serve for five years, one for three years, and one for one year, respectively, from the date of enactment of this Act, and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(c) Members of the Board shall be compensated at the rate of $75 a day for each day spent in the work of the Board, and shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from their usual places of residence, as authorized by section 5703 of title 5, United States Code.

(d) Two members shall constitute a quorum for the transaction of business.

(e) The Board may appoint and fix the compensation of such officers, attorneys, and employees, and make such expenditures, as may be necessary to carry out its functions.

(f) The Board shall make such rules and regulations as shall be necessary and proper to carry out its functions.

(g) The Board shall have the authority and duty to receive and investigate written complaints from or on behalf of any person claiming to be affected or aggrieved by any violation or threatened violation of this Act and to conduct a hearing on each such complaint. Within ten days after the receipt of any such complaint, the Board shall furnish notice of the time, place, and nature of the hearing thereon to all interested parties. The Board shall render its final decision with respect to any complaint within thirty days after the conclusion of its hearing thereon.

(h) Officers or representatives of any Federal employee organization in any degree concerned with employment of the category in which any alleged vioation of this Act occurred or is threatened shall be given an opportunity to participate in each hearing conducted under this section, through submission of written data, views, or arguments and in the discretion of the Board, with opportunity for oral presentation. Government employees called upon by any party or by any Federal employee organization to participate in any phase of any administrative or judicial proceeding under this section shall be free to do so without incurring travel cost or suffering loss in leave or pay; and all such employees shall be free from restraint, coercion, interference, intimidation, or reprisal in or because of their participation. Any periods of time spent by Government employees during such participation shall be held and considered to be Federal employment for all purposes.

(i) Insofar as consistent with the purposes of this section, the provisions of subchapter II of chapter 5 of title 5, United States Code, relating to the furnishing of notice and manner of conducting agency hearings, shall be applicable to hearings conducted by the Board under this section.

(j) If the Board shall determine after hearing that a violation of this Act has not occurred or is not threatened, the Board shall state its determination and notify all interested parties of such determination. Each such determination shall constitute a final decision of the Board for purposes of judicial review.

(k) If the Board shall determine that any violation of this Act has been committed or threatened by any civilian officer or employee of the United States, the Board shall immediately (1) issue and cause to be served on such officer or employee an order requiring such officer or employee to cease and desist from the unlawful act or practice which constitutes a violation, (2) endeavor to eliminate any such unlawful act or practice by informal methods of conference, conciliation, and persuasion, and (3) may—

(A) (i) in the case of the first offense by any civilian officer or employee of the United States, other than any officer appointed by the President, by and with the advice and consent of the Senate, issue an official reprimand against such officer or employee or order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed fifteen days, (ii) in the case of a second or subsequent offense by any such officer or employee, order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed thirty days or order the removal of such officer or employee from such position or office; and

(B) in the case of any offense by any officer appointed by the President, by and with the advice and consent of the Senate, transmit a report concerning such violation to the President and the Congress.

(l) If the Board shall determine that any violation of this Act has been committed or threatened by any officer of any of the Armed Forces of the United States, or any person purporting to act under authority conferred by such officer, the Board shall (1) submit a report thereon to the President, the Congress, and the Secretary of the military department concerned, (2) endeavor to eliminate any unlawful act or practice which constitutes such a violation by informal methods of conference, conciliation, and persuasion, and (3) refer its determination and the record in the case to any person authorized to convene general courts-martial under section 822 (article 22) of title 10, United States Code. Thereupon such person shall take immediate steps to dispose of the matter under chapter 47 of title 10, United States Code (Uniform Code of Military Justice).

(m) Any party aggrieved by any final determination or order of the Board may institute, in the district court of the United States for the judicial district wherein the violation or threatened violation of this Act occurred, or in the United States District Court for the District of Columbia, a civil action for the review of such determination or order. In any such action, the court shall have jurisdiction to (1) affirm, modify, or set aside any determination or order made by the Board which is under review, or (2) require the Board to make any determination or order which it is authorized to make under subsection (k), but which it has refused to make. The reviewing court shall set aside any finding, conclusion, determination, or order of the Board as to which complaint is made which is unsupported by substantial evidence on the record considered as a whole.

(n) The Board shall submit, not later than March 31 of each year, to the Senate and House of Representatives, respectively, a report on its activities under this section during the immediately preceding calendar year, including a statement concerning the nature of all complaints filed with it, its determinations and orders resulting from hearings thereon, and the names of all officers or employees of the United States with respect to whom any penalties have been imposed under this section.

(o) There are authorized to be appropriated sums necessary, not in excess of $100,000, to carry qut the provisions of this section.

SEC. 6. Nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test, designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters, or to provide a personal financial statement, if the Director of the Central Intelligence Agency or his designee or the Director of the National Security Agency or his designee makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security.

SEC. 7. No civilian employee of the United States serving in the Central Intelligence Agency or the National Security Agency, and no individual or organization acting in behalf of such employee, shall be permitted to invoke the provisions of sections 4 and 5 without first submitting a written complaint to the agency concerned about the threatened or actual violation of this Act and affording such agency one hundred and twenty days from the date of such complaint to prevent the threatened violation or to redress the actual violation: *Provided, however*, That nothing in this Act shall be construed to affect any existing authority of the Director of Central Intelligence under section 403(c), of title 50, United States Code, and any authorities available to the National Security Agency under section 833 of title 50, United States Code, to terminate the employment of any employee.

SEC. 8. Nothing in this Act shall be construed to affect in any way the authority of the Directors of the Central Intelligence Agency or the National Security Agency to protect or withhold information pursuant to statute or executive order. The personal certification by the Director of the agency that disclosure of any information is inconsistent with the provision of any statute or Executive order shall be conclusive and no such information shall be admissible in evidence in any interrogation under section 1(k) or in any civil action under section 4 or in any proceeding or civil action under section 5.

SEC. 9. This Act shall not be applicable to the Federal Bureau of Investigation.

SEC. 10. Nothing contained in sections 4 and 5 shall be construed to prevent establishment of department and agency grievance procedures to enforce this Act, but the existence of such procedures shall not preclude any applicant or employee from pursuing the remedies established by this Act or any other remedies provided by law: *Provided, however*, That if under the procedures established, the employee or applicant has obtained complete protection against threatened violations or complete redress for violations, such action may be pleaded in bar in the United States district court or in proceedings before the Board on Employee Rights: *And provided further*, That if an employee elects to seek a remedy under either section 4 or section 5, he waives his right to proceed by an independent action under the remaining section.

SEC. 11. If any provision of this Act or the application of any provision to any person or circumstance shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected.

By Mr. MATHIAS (for himself, Mr. MANSFIELD, Mr. PHILIP A. HART, Mr. JAVITS, Mr. KENNEDY, Mr. NELSON, and Mr. PEARSON):

S. 1888. A bill to require in all cases court orders for the interception of communications by electric and other devices, for the entering of any residence, for the opening of any mail, for the inspection or procurement of certain records, and for other purposes. Referred to the Committee on the Judiciary.

BILL OF RIGHTS PROCEDURES ACT

Mr. MATHIAS. Mr. President, recent events have demonstrated to all Americans that our Government has at times transcended constitutional processes and involved itself in a variety of excesses in the area of surveillance. These include, but are by no means limited to: military intelligence activities at the 1968 Democratic National Convention, FBI surveillance of various civil rights leaders and of participants at the 1964 Democratic Convention, wiretapping by the White House "plumbers" unit, compilation of thousands of files at the CIA related to domestic security, and the maintenance of FBI files on Members of Congress. Most startling of all is the so-called Huston plan revealed in the course of the Senate Watergate investigations.

Governmental surveillance—the Federal invasion into areas of privacy reasonably expected by all citizens—has sown the seeds of a deep-seated malaise into American life. Watergate, CIA and FBI surveillance, the maintenance of files on congressional Members all are part of this problem. They have been accompanied by an onrush of technological advancement and growing power of bureaucratic structures, all of which has created a kind of "future shock" sense that things are just moving too fast—have gotten beyond our control.

The malaise gripping an ever-increasing number of Americans in the apprehension and fear that those who register dissent, those who voice displeasure with governmental policy, are subject to unbridled scrutiny through pervasive governmental surveillance techniques. Actual surveillance in blatant disregard of constitutional safeguards has created the apprehension that there may be intrusions at any time upon one of our most cherished ideals, the right to privacy. But perhaps of greater consequence is the chilling effect that accompanies such surveillance. The mere threat of monitoring intimidates individuals, forces withdrawal from political activity, and impinges upon first amendment freedoms. It is by no means an overstatement to claim that unchecked governmental surveillance strikes at the very vitality of this Nation.

The fourth amendment provides:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Justice Brandeis emphasized the importance of the fourth amendment to the right of privacy in his 1928 Olmstead dissent:

> To protect (the right to be let alone), every unjustifiable intrusion by the government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the fourth amendment.

The Supreme Court in *Katz* v. *U.S.*, 389 U.S. 347 (1967) held that the amendment's spirit now shields private speech from unreasonable surveillance. The decision implicitly recognizes that broad and unsuspected governmental incursions into conversational privacy which electronic surveillance entails necessitates the application of the fourth amendment safeguards.

While the fourth amendment speaks of "unreasonable searches and seizures," reasonableness has been determined on the basis of the commands of the warrant clause:

> It is not an inconvenience to be weighed somehow against the claims of policy efficiency. It is, or should be, an important working part of our machinery of government, operating as a matter of course to check the well-intentioned but mistakenly over-zealous executive officers who are a part of any system of law enforcement. *Coolidge* v. *New Hampshire*, 403 U.S. at 481.

More recently the High Court stated in *U.S.* v. *U.S. District Court*, 403 U.S. 297 (1972):

> The fourth amendment contemplates a prior judicial judgment, not the risk that executive discretion may be reasonably exercised. This judicial role accords with our basic constitutional doctrine that individual freedoms will best be preserved through a separation of powers and division of functions among the different branches and levels of government.

There are exceptions to the warrant requirement, but they are few and have been judicially delineated with extreme caution. The court in U.S. district court, supra., rejected the contention that there should be an exception to the warrant requirement in areas of domestic security; the inherent vagueness of the security concept, the necessarily broad and continuing nature of intelligence gathering, and the temptation to use such surveillance to oversee political dissent dictate that the requisites of the fourth amendment be adhered to even in such matters. And the court called upon the Congress to formulate the standards upon which judicial approval of national security surveillance may be rendered. That is what this legislation is designed to provide.

Mr. President, keeping in mind:

The paramount interest we all share in our rights to privacy;

The frightening revelations of the past 2 years;

The chilling effect that unchecked governmental surveillance necessarily breeds; and

Congress' constitutional responsibility to enact statutory guidelines to assure that the Bill of Rights remains secure from the assaults of arbitrary power;

I reintroduce today a bill which would strengthen the guarantees of privacy contained in the fourth amendment. I introduced an identical bill in the 93d Congress, S. 3440. The bill, entitled "The Bill of Rights Procedure Act of 1975," would require any Federal agent to obtain a court order before he or she may conduct any form of surveillance on a private citizen. Probable cause must be demonstrated before the court order could issue and the warrant must be specific in its particulars.

The term surveillance includes bugging, wiretapping, and all other forms of electronic eavesdropping, opening of mail, entering of dwellings, and the inspection or procurement of the records of telephone, bank, credit, medical, or other private transactions. A court order would be required in virtually every instance, the only exceptions being: The serving of an arrest warrant, the hot pursuit of a criminal, or when the consent of the individual has been obtained.

In 1947 the CIA came out of this. Since that time we have developed one of the finest intelligence gathering systems in the world. I would say that the British or the Soviets were superior in some respects, but our CIA has done a highly commendable job.

Now, I am sad to relate to my friend from Wisconsin, concerning something he touched upon, we have been losing our top contacts in other countries. Strangely, this intelligence business intertwines amongst countries, both enemy and friendly. Now that the press and media have assaulted the CIA in an unwarranted way, other countries are feeling it dangerous to cooperate with our own intelligence agencies.

I would hope that in the very near future, a matter of months, that the disclosures we will make will cause the media, will cause the press, will cause those people in the citizenry to realize what a tough job this group is up against and how good a job they have been doing.

I will just close by making one surmise: if a foreign country wanted to overthrow this country, I think it would cause distrust in the schools such as we have seen; I think it would cause rioting on the streets of the major cities and major conventions such as we have seen; I think it would try to create a distrust for the Congress and the Presidency. And then I think it would try to create a distrust in the military and certainly in the intelligence agencies. I just remind my friend all of these things have happened. Whether they have happened by accident, whether they have happened because some foreign country has been causing them, is beyond my ability to relate. But I think we better be very careful in our public discussions of things that are as valuable and also at the same time as secret as the CIA.

I again commend my friend from Wisconsin.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Arizona and agree with much of what he said. I do want to make it clear that I think that exposure by the press of abuses by the CIA, some of their activities that I think cannot be condoned, has been a very useful and constructive action. I think they have served democracy. They have helped improve the Agency. I think that we can improve it. What I have tried to do this morning is to put this whole thing in perspective. The CIA has, indeed, in my view, engaged in activities that cannot be justified. I think covert operations have to be reviewed. I think upon reflection we might very well eliminate them.

The problem is that in developing intelligence you also develop a capability of using covert action to destabilize governments and other intrusive activities. I think that that is wrong. But right or wrong, it is something that should have been discussed and determined democratically by the Congress of the United States under the law. We have not done that.

Since 80 to 90 percent of CIA operations involve the gathering of intelligence and analysis of that intelligence, this Agency has been absolutely essential to our Government. It has served it very well, indeed. It has been operating at a level of high quality and competence.

Mr. GOLDWATER. If the Senator will yield further, I will repeat what I said before. The CIA, like other intelligence gathering agencies, are like the military, somewhat, in their formation, and they take orders from on top. I think we will find in discussing these actions that the CIA has been engaged in, that they recognize the illegality of some of them. They will admit that they did not want to perform them. But when an officer or superior says, "Get along with this," one gets along with it. You may not like it, but you do it.

Mr. PROXMIRE. The Senator makes a good point. We ought to fix our criticism on those who have the power or authority over the CIA, to wit, the President of the United States, as the people who have to assume the fundamental responsibilities.

Mr. President, I yield the floor.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of not to exceed 15 minutes, with a 3-minute limitation, for the transaction of routine morning business.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be a 5-minute limitation rather than a 3-minute limitation.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ASSISTANCE TO THE PRESIDENT IN NEGOTIATIONS WITH OIL-PRODUCING COUNTRIES—S. 1989

Mr. STONE. Mr. President, on behalf of myself and the distinguished Senator from Montana (Mr. MANSFIELD), I am today introducing for appropriate reference a bill directing the executive agencies of the Federal Government to prepare and submit to the President of the United States inventories of the various relationships, existing and projected, between the United States and each foreign country from which crude oil, natural gas, or petroleum products are imported into the United States. This information shall be used by the President and his representatives in negotiations between the United States and the oil producing nations.

Although some of this information is already available and some of it already the subject of careful analysis, both within and outside Government, it is my opinion that the Government as of this date has not proceeded to develop a comprehensive profile of our country's myriad economic, financial, military, and technological relationships with the oil producing countries.

This information is important for our Government to have in a usable form because of the recent history of embargo and exorbitant price increases with respect to petroleum and petroleum products imported into the United States. The embargo and price increases have caused serious economic and financial disruptions both in the United States and throughout the industrialized world. Unfortunately, on the basis of recent announcements from spokesmen of the Organization of Petroleum Exporting Countries, it appears likely that our country and the rest of the industrialized world must prepare for yet another sharp price increase for imported petroleum later this year.

Mr. President, it is my conviction that the United States cannot afford to continue to pay these ever-increasing, highly inflated prices for petroleum and petroleum products. We cannot accept the raging inflation, the debilitating unemployment, and the potential threat to our national independence which result from these imposed price increases. Even if we accelerate greatly our efforts to increase domestic production of petroleum and implement an effective conservation program, we will have to continue to import large quantities of petroleum from the OPEC nations for the near and medium term. The nature of our industrialized economy depends on the continued use of petroleum at high levels. Consequently, we cannot avoid coming to terms with the reality of the moment—unreasonable price increases for imported pertoleum essential to our economic well-being imposed on this country by the oil producers' cartel with the accompanying economic and financial dislocations in our country.

Whatever else we may do about energy, Mr. President—and we need to be doing a great deal—we cannot ignore the predicament of our dependence on foreign petroleum and the apparent determination of OPEC nations to take full advantage of this situation. We cannot possibly adopt a reasonable and comprehensive energy policy unless we take into full consideration the reality of our present and near-term dependence on imported petroleum. Whatever policies we might adopt with respect to the pricing of natural gas, energy conservation, research and development for alternative energy sources, and the encouragement of greater domestic production of petroleum—all essential ingredients of an effective energy program—we are unlikely to be successful in meeting the challenge of the energy crisis unless we also proceed to develop an effective policy for countering the imposition of exorbitant and increasing prices for imported petroleum.

It is my belief, Mr. President, that the enactment of the simple bill I am introducing today represents the first, necessary step in developing a wise and effective policy with respect to the prices we pay for imported petroleum. Quite clearly, and correctly, my bill suggests no policy or program in particular which should ultimately be adopted. It merely lays the essential basis—collection of the facts—for the development of a policy. Whatever policy we might ultimately adopt with respect to imported oil prices, we must adopt it on the basis of a comprehensive understanding of the complex and multifaceted relationships which exist between our nation and the oil-producing nations. It is to the

development of this understanding that my bill is directed and I sincerely urge my colleagues to adopt it.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1989

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of this Act—

(1) The term "Executive agency" has the meaning given to it by section 105 of title 5, United States Code, except that it does not include the General Accounting Office.

(2) The term "United States person" means—

(A) a citizen or resident of the United States, and

(B) a corporation, partnership, estate, trust, organization, or institution created or organized in, or under the laws of, the United States, any State or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

SEC. 2. Under the direction and supervision of the President, the head of each Executive agency shall prepare and submit to the President, as soon as possible after the date of the enactment of this Act, inventories of the following relationships, both existing and projected, between the United States and each foreign country from which crude oil natural gas, or petroleum products are imported into the United States:

(1) Exports of materials, commodities, and other articles from the United States to such country.

(2) Arrangements to perform research and development within, or for, such country by the United States Government and United States persons.

(3) Arrangements to provide educational or training programs within, or for, such country by the United States Government and United States persons.

(4) Investments (including time deposits, certificates of deposit, notes, and bonds and stocks and other equity interests) held by such country and the citizens, corporations, organizations, and institutions of such country in the United States and United States persons; and investments held by the United States Government and United States persons in such foreign country and the corporations, organizations, and institutions of such country.

(5) Arrangements for furnishing military supplies, technology, training, and research and development to such country by the United States Government and United States persons.

The inventories prepared under paragraphs (2), (3) and (4) shall give particular references to the petroleum industry.

SEC. 3 The use of information prepared and submitted to the President pursuant to this Act shall include but is not limited to assisting in negotiations between the United States and oil producing countries.

Mr. STONE. Mr. President, some have said that the inflation has topped out and that the recession has bottomed out, and we are preparing to recover economically. The Senator from Florida has said that full recovery cannot take place with the artifically high prices of imported oil and the newly threatened price increases imposed by the oil producing countries—OPEC.

As evidence that my opinion is supported factually, I call the attention of the Senate to the first two pages of the Wall Street Journal of Tuesday, June 17.

On the front page, the first two paragraphs read:

Industrial output fell 0.3% last month suggesting the recession is still under way although perhaps nearing bottom. It was the eighth monthly drop in a row.

And right under that:

Higher world oil prices will slow the U.S economic rebound and have a devastating effect on some other nations' economies Treasury Secretary Simon warned. He said there's no economic justification for a rise

Turning to the article on page 2, in which Treasury Secretary Simon is quoted, he states:

"My position is there ought to be a decrease, not an increase," the Treasury chief said. Indeed, he added, "there are some in government who believe we weren't taking an active posture in vehemently opposing OPEC price increases. I obviously am one of them."

What can we do about that? That bill would direct the President to supervise all executive agencies in gathering the relevant facts regarding this Nation and all of its people's relationships with OPEC: What we export to OPEC including massive food shipments on credit or even grant terms, what we research for OPEC and the OPEC nations, what we educate their people to do, our military support, our defense procurement for OPEC nations, our technological assistance to them, our communications contracts with them, as well as the obvious marketing information on both sides, import and export.

Mr. President, in a very incisive article on June 12, 1975, under the lead line "The Counter-Hook," Joseph Kraft wrote:

What can the United States do to prevent the cartel of oil-exporting nations from raising prices once again? The answer does not lie primarily in military measures which divided the world or in an energy program which divides the country.

The truly strong weapon is a weapon this country and other oil-consuming nations seem not to know they even have. It is the weapon of the counter-hook.

Farther down, Mr. Krafts writes:

Nobody knows exactly how much money is involved in the goods and services made available to the OPEC countries. But it is many billions of dollars.

The article continues:

That means, first that the United States should make a systematic inventory of everything it exports to the OPEC countries. It means, second, that we should work out with other consuming countries joint rules for access of the OPEC countries to modern technology—particularly technology such as nuclear plants which are positively dangerous.

With an understanding like that, the United States and the other oil consuming countries would have a truly effective weapon in place against the OPEC nations. It would not involve confrontation or a military sort. It would go along with whatever measures in conservation or development of new energy sources can be put in operation.

Mr. President, economically speaking we have not begun to fight. We supinely accept the actuality and the threat of further foreign oil price increases and quantity squeezes without even getting the facts that make this Nation not merely the largest single market for OPEC, but the largest single producer for OPEC. Just as they are our energy sources, we are their economic, food and technology sources.

What this bill, if passed, would do—and I have confidence that it will be passed—is put on the President's desk to assist him in forthcoming OPEC negotiations, the actual facts of our exports, of our food exports, of our technological exports, of our research and development exports, and of our final product exports, including but not limited to the oil drilling equipment and other refining equipment without which the OPEC Nations would not be able to produce the product they threaten to withhold and which they actually restrict unilaterally.

Mr. President, let us find out what leverage we have. Let us not fly blind any more. Why should our Secretary of State, after trying to get all of the other consuming nations together, make a statement to the effect that in the short run the oil producing nations seem to have total control of the market?

That is not the case. We have partial control of the market; and whether or not they have more control of the market, they have it all if we do not even assert we have something to say about it.

Who are we? We are at least who we say we are, and if we say we are nothing, we truly have nothing to say for our own survival.

I was noticing the columns Mr. Kraft was writing while he traveled through the Middle East. While he was in the Middle East, he was very pessimistic about anyone other than OPEC's ability to influence the price of oil as fixed by the oil producing nations. But when he returned to this country, he wrote this excellent article, "The Counter-Hook."

The ACTING PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. ROBERT C. BYRD. Mr. President, I ask that the Chair recognize me.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is recognized.

Mr. ROBERT C. BYRD. I yield my 5 minutes to the Senator from Florida.

Mr. STONE. I thank the distinguished Senator from West Virginia.

I had an opportunity to ask Mr. Kraft what led to his renewed feistiness, his writing that we do have leverage, after he returned.

His answer was that when he saw what we had in this country in relation to his just-completed trip through the Middle East, he realized that we have all kinds of leverage which we are not even finding out that we do have.

If we find out, for example, that the staple diet commodity of the Middle East is rice, and that we are the major if not the sole substantial rice exporting nation, will that give us enough confidence to try to negotiate with OPEC?

If we find that the reason OPEC is trying to raise its revenues is so that it can

industrialize against the day that it no longer has oil to export, and that the bulk of that industrialization must come from the oil-consuming nations of the West, will that give us the confidence to try to negotiate?

Mr. President, if we find, by collating this inventory, that the major research and development efforts to convert coal to oil and gas fuel and to find new sources of energy to take the place of the limited oil resource in this world comes from the oil-consuming nations, will that give us the confidence, knowing that when the oil runs out these same oil-producing nations must turn to us for the very energy they run their industrial plant on, will that give us confidence to negotiate?

Mr. President, the time has come for confidence, and confidence can come only from knowledge. This bill will direct the executive branch to get the knowledge that should give us the confidence to get into a successful negotiation for OPEC oil both as to quantity and price.

Mr. President, economically we can recover only if investors in this country have the confidence in the future, in the medium term, of the supply of energy and its affordable cost, to make their decision to invest. Only then will the private sector provide the jobs that produce prosperity. This Nation has so much, in the way of leverage that learning of that leverage will give us the confidence to successfully consummate negotiations with OPEC not only by ourselves but in concert with other developed nations.

If I thought there was nothing we could do, I would not be introducing any energy bills at all. But the missing element in the duet of oil policy, Mr. President, is the missing triad element of negotiation, on the basis of economic leverage, with OPEC.

Both the President and the Congress are just proposing two legs of a three-legged stool. The first leg is to reduce domestic use of energy. The second leg is to induce more domestic supply of energy.

But what is missing is the feeling that, if we do those two things, we can negotiate a better deal with the 38 percent, maybe 40 percent of our energy supply which is the imported oil and oil equivalent that we get from the OPEC. Otherwise, why this proposed self-sacrifice by our consumers?

I submit that the absence of preparing to negotiate with OPEC is the reason why Congress has not passed a conservation bill with bite.

But if we can show the American economy and the American public that we are gearing up for a good tough negotiation with OPEC, not a military confrontation, not even an economic confrontation, but a bargain-striking negotiation based on the leverage we know we have and find out that we have, then these sacrifices of higher oil prices within America in order to induce more supply and reduce domestic consumption in order to reduce oil imports, will have some meaning, and the American public will understand what the sacrifices are for.

So, Mr. President, in conclusion, I urge that this Congress swiftly pass these instructions to the President, in the form of this bill, that the President will on a priority basis find out all the leverage that we have in this country, with regard to our dealings with OPEC, tangible and intangible, so that it may be used, including but not limited to, in the negotiations with OPEC.

I thank the distinguished Senator from West Virginia for making this extra time available to me.

Mr. President, I ask unanimous consent that an article entitled "The Counter-Hook" written by Joseph Kraft, published in the Washington Post of June 12, 1975, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE COUNTER-HOOK

(By Joseph Kraft)

What can the United States do to prevent the cartel of oil-exporting nations from raising prices once again? The answer does not lie primarily in military measures which divide the world or in an energy program which divides the country.

The truly strong weapon is a weapon this country and other oil-consuming nations seem not to know they even have. It is the weapon of the counter-hook.

To understand the counter-hook, it is useful to go back to 1960 when the oil-exporting countries first formed the cartel known as OPEC. For the next dozen years, Japan, Western Europe and the United States became increasingly dependent on OPEC oil.

But despite warnings, no defensive measures were taken against pressures by the producing countries. Alternate sources were not developed; conservation was not practiced; stockpiles were not stockpiled. When the October war broke out in 1973 and an oil embargo was imposed, the developed countries were defenseless. We had allowed ourselves to become hooked.

Since then, however, we have been selling the OPEC countries cars and air-conditioners and all kinds of consumer goods. We have been selling them planes and tanks and all other kinds of weapons. We have been selling them steel plants and desalination units and all other kinds of modern technology. We have been hooking the OPEC countries on the stuff we produce.

Nobody knows exactly how much money is involved in the goods and services made available to the OPEC countries. But it is many billions of dollars.

Some OPEC countries have plunged so heavily that their futures are already mortgaged. The Shah of Iran, for example, has bought so much in the way of technology, defense items and consumer goods that Iran is expected to begin heavy international borrowing next year.

In other countries, the technology available from the oil consumers provides utterly critical services. Saudi Arabia, for example, had to turn to the United States Corps of Engineers early in April for a massive repair job when flash floods washed out the water supply for Jiddah, its booming port on the Red Sea.

Finally, most of the oil-exporting countries are totally dependent on Western, in fact American, firms to market the oil they sell. Indeed, the big companies quite literally run the oil cartel with the acquiescence of the producer countries.

Not only is there intense traffic between the oil exporters and the consumers, but the traffic is growing at a dizzying pace. For selling goods and services abroad is not like conservation or development of new sources or military action. It is not something which comes hard to this country and its friends. It is what comes naturally. It is like water running downhill. It is what we do without thinking.

The great opportunity in the international energy field, the secret weapon of the consumers, lies in thinking hard about the goods and services made available by the oil consumers to the oil producers. That means, first, that the United States should make a systematic inventory of everything it exports to the OPEC countries. It means, second, that we should work out with other consuming countries joint rules for access of the OPEC countries to modern technology—particularly technology such as nuclear plants which are positively dangerous.

With an understanding like that, the United States and the other oil-consuming countries would have a truly effective weapon in place against the OPEC nations. It would not involve confrontation of a military sort. It would go along with whatever measures in conservation or development of new energy sources can be put in operation.

What would be established is a rough kind of balance. Just as the OPEC countries have control of what the developed countries need, the governments of the developed countries would have control of what the OPEC countries need. There would be a base for establishing by negotiation—instead of unilateral decision—the cooperative arrangements which alone can underlie a harmonious relationship between the developed world and the oil exporters. By an implicit bargaining process the goods and services on which the OPEC countries are already hooked would be organized to work for reasonable prices in oil.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

REPORT OF ACTION—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate a message from the President of the United States transmitting the ACTION annual report for the fiscal year 1974, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare. The message is as follows:

To the Congress of the United States:

I transmit herewith the ACTION Annual Report for fiscal year 1974 as required by section 407 of the Domestic Volunteer Service Act of 1973.

GERALD R. FORD.

THE WHITE HOUSE, *June 23, 1975.*

REPORT OF THE NATIONAL COUNCIL ON THE ARTS AND THE NATIONAL ENDOWMENT FOR THE ARTS—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate a message from the President of the United States transmitting the annual report of the National Council on the Arts and the National Endowment for the Arts for the fiscal year 1974, which, with the accompanying report, was referred to the Committee on Labor and

Public Welfare. The message is as follows:

To the Congress of the United States:

I am pleased to transmit to the Congress the Annual Report of the National Council on the Arts and the National Endowment for the Arts for the Fiscal Year 1974.

Our Nation has a diverse and extremely rich cultural heritage. It is a source of pride and strength to millions of Americans who look to the arts for inspiration, communication and the opportunity for creative self-expression.

This Annual Report reflects the role of the government in preserving this cultural legacy and encouraging fresh activity, in developing our cultural resources and making new connections between the arts and our people.

In September 1974, the National Council on the Arts celebrated its Tenth Anniversary, and I had the opportunity to congratulate the Council and this relatively new Federal agency on its success in creating interest in the Arts throughout the Nation.

I believe that the work of the National Council and the National Endowment for the Arts has been a great addition to our society in the United States and we can be very proud of it.

With the bicentennial of our Nation approaching soon, we shall need the creative gifts of our artists and the capabilities of our cultural institutions to help us celebrate this great anniversary.

It is my hope that every member of Congress will share my conviction that the arts are an important and integral part of our society. I hope that they will agree with my assessment of the importance to this Nation of the achievements of the Endowment.

GERALD R. FORD.

THE WHITE HOUSE, *June 23, 1975.*

MESSAGES FROM THE HOUSE

At 12:12 p.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the bill (H.R. 6860) to provide a comprehensive national energy conservation and conversion program, in which it requests the concurrence of the Senate.

The message also announced that the House has passed the bill (S. 1716) to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, and for other purposes, with an amendment in which it requests the concurrence of the Senate.

The message further announced that the House agrees to the amendments of the Senate to the bill (H.R. 6698) to amend section 1113 of the Social Security Act to make permanent the program of temporary assistance for U.S. citizens returned from abroad, subject to specific limitations on the aggregate dollar amount of such assistance which may be provided and on the period for which such assistance may be furnished in any particular case.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

H.R. 37. An act to authorize appropriations to carry out the Standard Reference Data Act;

H.R. 6054. An act to authorize further appropriations for the Office of Environmental Quality, and for other purposes, and

H.R. 6698. An act to amend section 1113 of the Social Security Act to make permanent the program of temporary assistance for U.S. citizens returned from abroad, subject to specific limitations on the aggregate dollar amount of such assistance which may be provided and on the period for which such assistance may be furnished in any particular case, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore.

ENROLLED JOINT RESOLUTION SIGNED

At 2:07 p.m., a message from the House of Representatives delivered by Mr. Berry announced that the Speaker has signed the enrolled joint resolution (H.J. Res. 499) making continuing appropriations for the fiscal year 1976, and for other purposes.

The enrolled joint resolution was subsequently signed by the President pro tempore.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. STONE) laid before the Senate the following letters, which were referred as indicated:

PRESIDENTIAL DETERMINATION

A letter from the Assistant Secretary of State for Congressional Relations transmitting, pursuant to law, a Presidential Determination with Statement of Reasons permitting the sale to Egypt of 50,000 tons of wheat/wheat flour (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT OF THE DEPARTMENT OF AGRICULTURE

A letter from the Acting Secretary of Agriculture transmitting, pursuant to law, a report on the administration of the Horse Protection Act of 1970 (with an accompanying report); to the Committee on Commerce

REPORT OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

A letter from the Chairman of the Washington Metropolitan Area Transit Authority transmitting, pursuant to law, the fifth quarterly report of the Authority on the Metrorail construction program (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF THE DEPARTMENT OF THE TREASURY

A letter from the Assistant Secretary of the Treasury transmitting, pursuant to law, a report on the actions by the Department under the Countervailing Duty Law with respect to imports of dairy products from member states of the European Economic Community (with an accompanying report); to the Committee on Finance.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Limited Progress Made in Developing Loan Accounting System" (with an accompanying report); to the Committee on Government Operations.

REPORT OF THE JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

A letter from the Chairman and Vice Chairman of the Joint Committee on Congressional Operations transmitting a report on the case of Eastland et al V. United States Servicemen's Fund (with accompanying papers); to the Committee on Government well lease exemption regulation will become

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting, pursuant to law, a list of reports of the General Accounting Office for the month of May 1975 (with accompanying papers); to the Committee on Government Operations.

AMENDMENT OF STRIPPER WELL LEASE EXEMPTION REGULATION

A letter from the Administrator of the Federal Energy Administration serving notice that the proposed amendment of stripper well lease exemption regulation will become effective June 3, 1975; to the Committee on Interior and Insular Affairs.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting a report entitled "Examination of the Environmental Financing Authority's Operations from October 18, 1972 through March 31, 1975" (with an accompanying report); to the Committee on Public Works.

REPORT OF THE FEDERAL ELECTION COMMISSION

A letter from the Chairman of the Federal Election Commission transmitting certain correspondence and briefs relating to the pending litigation Buckley et al v. Valeo et al, Civil #75-001 (D.D.C.) (with accompanying papers); to the Committee on Rules and Administration.

REPORT OF THE GENERAL SERVICES ADMINISTRATION

A letter from the Administrator of General Services transmitting, pursuant to law, a report of the General Services Administration covering public buildings projects authorized for construction (with an accompanying report); to the Committee on Public Works.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States reporting, pursuant to law, a rescission of Department of Housing and Urban Development budget authority which should have been, but was not, reported to the Congress pursuant to the provisions of the Impoundment Control Act of 1974; to the Committee on Appropriations, the Committee on the Budget, and the Committee on Banking, Housing and Urban Affairs, pursuant to the order of January 30, 1975.

PROPOSED LEGISLATION BY THE GENERAL SERVICES ADMINISTRATION

A letter from the Administrator of General Services transmitting a draft of proposed legislation to establish a fund for activating authorized agencies, and for other purposes (with accompanying papers); to the Committee on Government Operations.

PROPOSED RULEMAKING BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Executive Secretary to the Department of Health, Education, and Welfare transmitting, pursuant to law a notice of proposed rulemaking governing operation of the Special Projects Act (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORT OF THE SECRETARY OF THE TREASURY

A letter from the Secretary of the Treasury transmitting, pursuant to law, the second an-